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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,231	01/14/2002	Takeyoshi Ito	0879-0370P 6198	
	7590 04/30/200 ART KOLASCH & BI	EXAMINER		
PO BOX 747	CH 1/4 00040 0040	HO, TUAN V		
FALLS CHUR	CH, VA 22040-0747		ART UNIT	PAPER NUMBER
			2622	
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			NOTIFICATION DATE	DELIVERY MODE
			04/30/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/043,231	ITO, TAKEYOSHI	
Examiner	Art Unit	
Tuan V. Ho	2622	

Before the Filing of an Appeal Brief	Examiner	Art Unit					
	Tuan V. Ho	2622					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address							
THE REPLY FILED <u>06 February 2007</u> FAILS TO PLACE THIS	APPLICATION IN CONDITION FO	R ALLOWANCE.					
The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:							
a) The period for reply expiresmonths from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).							
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL							
2. The Notice of Appeal was filed on <u>05 April 2007</u> . A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).							
<u>AMENDMENTS</u>							
 The proposed amendment(s) filed after a final rejection, They raise new issues that would require further or 			ecause				
(b) They raise the issue of new matter (see NOTE bel		i E below),					
(c) They are not deemed to place the application in be appeal; and/or		ducing or simplifying	the issues for				
(d) They present additional claims without canceling a NOTE: (See 37 CFR 1.116 and 41.33(a))		ected claims.					
4. The amendments are not in compliance with 37 CFR 1.		mpliant Amendment	(PTOL-324).				
5. $\overline{\square}$ Applicant's reply has overcome the following rejection(s							
6. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).							
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is proposed. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: 4-9,17,25-28 and 32. Claim(s) objected to: 20 and 21.		ll be entered and an e	explanation of				
Claim(s) rejected: <u>14,18,19 and 22</u> . Claim(s) withdrawn from consideration:							
AFFIDAVIT OR OTHER EVIDENCE							
 The affidavit or other evidence filed after a final action, b because applicant failed to provide a showing of good at was not earlier presented. See 37 CFR 1.116(e). 	nd sufficient reasons why the affidav	vit or other evidence is	s necessary and				
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessa	overcome <u>all</u> rejections under appery and was not earlier presented. S	al and/or appellant fa ee 37 CFR 41.33(d)(ils to provide a 1).				
 The affidavit or other evidence is entered. An explanation of the control of the c	on of the status of the claims after e	ntry is below or attach	ned.				
11. ☐ The request for reconsideration has been considered b	ut does NOT place the application in	n condition for allowa	nce because:				
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s) 13. ☑ Other: See Continuation Sheet.							
		the	K				
		Tuan V Ho	•				
		Primary Examiner Art Unit: 2622					

Continuation of 13. Other: Applicant argues that 1) "claim 14 should be allowable for the same reasons as claims 5 and 26", page 13 of the remarks. in response to the arguments, the examiner notes that claim 14 is completely different from claim 5 and 26 because claim 14 recites "a power switch which is turn on and off a power supply of the digital camera"; where the limitation is disclosed by Abe (col. 8, lines 7-21); and 2) claim 5 or 26 requires the camera that comprises a device for turning on and off the power supply in accordance with the switch provided at the craddle. Noted that calim 14 recites "the craddle comprising" while claim 5 and 26 recite the camera comprising

For the above reasons, the rejection is repeated.